

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

KEVIN JOHNSON, )  
Plaintiff, ) Case No. 7:05CV00219  
v. )  
ORDER  
MARK WARNER, ET AL., ) By: James P. Jones  
Defendants. ) Chief United States District Judge  
)

Based upon the court's de novo review of those portions of the magistrate judge's report and recommendations dated August 4, 2008 (#311) to which the plaintiff objected, it is **ADJUDGED AND ORDERED** as follows:

1. The plaintiff's objections are overruled;
2. The magistrate judge's report and recommendations are accepted;
3. The motion for summary judgment by the defendants R. Hunsucker, A.

Narramore, and C. Boyd (#288) is granted in part and denied in part;

4. The motion for summary judgment is denied as to A. Narramore and C. Boyd;
5. The motion for summary judgment is granted as to R. Hunsucker and judgment is entered in favor of said defendant and said defendant is dismissed as a party to this case.

ENTER: August 25, 2008

/s/ JAMES P. JONES  
Chief United States District Judge